

CLAIM AMENDMENTS

1-52 (Canceled)

53. (Currently Amended) A biocompatible gripping device for surgical use, the device comprising ~~gripping means having at least one deformable gripping element, said deformable gripping element being deformable from a non-deformed condition to a deformed condition on gripping an article, the gripping element comprising a shape memory material having an austenitic phase and a martensitic phase and having shape memory properties in the martensitic phase, and wherein the gripping element is in the martensitic phase at a temperature below the martensite to austenite phase transition temperature when the article is gripped to deform the gripping element, and phase, whereby when the gripping element is used to grip an article, the gripping element is deformed from a non-deformed condition to a deformed condition, and upon heating the deformed gripping element requires to be heated to a temperature above the martensite to austenite phase transition temperature to return the gripping element returns to the non-deformed condition.~~

54. (Previously Presented) A biocompatible gripping device according to claim 53 wherein the martensite to austenite phase transition temperature at which the gripping element can return to the non-deformed condition is a temperature between 50° C and 100° C.

55. (Currently Amended) A biocompatible gripping device according to claim 53 wherein the ~~shape memory~~ material comprises a shape memory alloy.

56. (Cancelled)

57. (Currently Amended) A biocompatible gripping device according to ~~claim 56~~ claim 55 wherein the shape memory alloy is a titanium-nickel alloy.

58. (Previously Presented) A biocompatible gripping device according to claim 57 wherein the shape memory alloy is a titanium-nickel alloy having substantially 52 atomic % titanium and substantially 48 atomic % nickel.

59. (Previously Presented) A biocompatible gripping device according to claim 53 wherein the deformable gripping element is selected from a coating and an insert.

60. (Previously Presented) A biocompatible gripping device according to claim 59 wherein the deformable gripping element is applied to the gripping means by brazing, soldering, riveting, sintering or compression fit.

61. (Previously Presented) A biocompatible gripping device according to claim 53 wherein the device comprises a pair of co-operating gripping members, each of which includes a gripping surface whereby at least one of said surfaces is provided by said deformable gripping element.

62. (Previously Presented) A biocompatible gripping device according to claim 61 wherein each of said gripping surfaces is provided by a respective one of said deformable gripping elements.

63. (Previously Presented) A biocompatible gripping device according to claim 62 in the form of a surgical needle holder or forceps.

64. (Withdrawn) A method of using a biocompatible gripping device that comprises ~~gripping means having~~ at least one deformable gripping element, the gripping element comprising a ~~shape-memory~~ material having an austenitic phase and a martensitic phase and having shape memory properties in the martensitic phase, wherein the method comprises gripping an article when the gripping element is at a temperature below the martensite to austenite phase transition temperature and thereby deforming the gripping element from a non-deformed condition to a deformed condition, and thereafter heating the gripping element to a temperature above the martensite to austenite phase transition temperature and thereby returning the gripping element to the non-deformed condition.

65. (Withdrawn) A method according to claim 64 comprising heating the gripping element to a temperature between 50° C and 100° C to return the gripping element to the non-deformed condition.

66. (Withdrawn) A method according to claim 64 wherein the ~~shape~~ ~~memory~~ material comprises a shape memory alloy.

67. (Cancelled)

68. (Withdrawn) A method according to ~~claim 67~~ claim 66 wherein the shape memory alloy is a titanium-nickel alloy.

69. (Withdrawn) A method according to claim 68 wherein the shape memory alloy is a titanium-nickel alloy having substantially 52 atomic % titanium and substantially 48 atomic % nickel.

70. (Withdrawn) A method according to claim 64 wherein the deformable gripping element is selected from a coating and an insert.

71. (Withdrawn) A method according to claim 70 wherein the deformable gripping element is applied to the gripping means by brazing, soldering, riveting, sintering or compression fit.

72. (Withdrawn) A method according to claim 64 wherein the device comprises a pair of co-operating gripping members, each of which includes a gripping surface whereby at least one of said surfaces is provided by said deformable gripping element.

73. (Withdrawn) A method according to claim 72 wherein each of said gripping surfaces is provided by a respective one of said deformable gripping elements.

74. (Withdrawn) A method according to claim 73 in the form of a surgical needle holder or forceps.

75. (New) A method of using a biocompatible gripping device that comprises at least one deformable gripping element, the gripping element comprising a material having an austenitic phase and a

martensitic phase and having shape memory properties in the martensitic phase, wherein the method comprises gripping an article when the gripping element is at a temperature below the martensite to austenite phase transition temperature and thereby deforming the gripping element from a non-deformed condition to a deformed condition, whereby subsequent heating of the gripping element to a temperature above the martensite to austenite phase transition temperature returns the gripping element to the non-deformed condition.

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